

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 12958

PERMIT 7730

LICENSE 4238

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS:

1. License 4238 was issued to Agnes C. Thomas and was filed with the County Recorder of Mendocino County on April 2, 1956.
2. License 4238 was subsequently assigned to Alex R. Thomas III and Mary Leitem Thomas.
3. A petition for change in point of diversion has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
4. The Board has determined that the petitioned change does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The point of diversion under this license shall be as follows:

North 1,850 feet and West 8,800 feet from the SW corner of Fractional Section 14, T15N, R12W, MDB&M, being within the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 16, T15N, R12W, MDB&M.

Dated: JANUARY 26 1983

*Raymond Walsh*

Raymond Walsh, Chief  
Division of Water Rights



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

## License for Diversion and Use of Water

APPLICATION 12958

PERMIT 7730

LICENSE 4238

THIS IS TO CERTIFY, That Agnes C. Thomas  
P. O. Box 448  
Ukiah, California

has made proof as of October 18, 1954,  
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of  
Russian River and Russian River underflow in Mendocino County

tributary to Pacific Ocean

for the purpose of irrigation use  
under Permit 7730 of the Department of Public Works and that said right to the use of said water has  
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works  
and the terms of the said permit; that the priority of the right herein confirmed dates from March 3, 1949;  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed one and five tenths (1.5)  
cubic feet per second to be diverted from about May 1 to about September 30 of  
each year.

The equivalent of such continuous flow allowance for any thirty day period  
may be diverted in a shorter time if there be no interference with other vested  
rights.

The points of diversion of such water are located

- (1) north seventy-three degrees fifteen minutes west (N73°15'W) eleven thousand  
six hundred fifty (11,650) feet from SW corner of fractional Section 14, T15N,  
R12W, MDB&M, being within Lot 86 of Yokayo Rancho and within SW1/4 of NW1/4 of  
projected Section 16, T15N, R12W, MDB&M.
- (2) north eighty-two degrees zero minutes west (N82°00'W) twelve thousand three  
hundred (12,300) feet from SW corner of fractional Section 14, T15N, R12W, MDB&M,  
being within Lot 23 of Yokayo Rancho and within NE1/4 of SE1/4 of projected  
Section 17, T15N, R12W, MDB&M.
- (3) north eighty-six degrees zero minutes west (N86°00'W) eight thousand four hundred  
(8,400) feet from SW corner of fractional Section 14, T15N, R12W, MDB&M, being within  
Lot 23 of Yokayo Rancho and within SW1/4 of SE1/4 of projected Section 16, T15N,  
R12W, MDB&M.

A description of the lands or the place where such water is put to beneficial use is as follows:

50 acres within Lot 23 of Yokayo Rancho  
25 acres within Lot 86 of Yokayo Rancho  
75 acres total within projected Sections 16 and 17, T15N, R12W, MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance  
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or  
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.



Witness my hand and the seal of the Department of Public  
Works of the State of California, this 21st  
day of March, 19 56

HARVEY O. BANKS,  
~~Assistant State Engineer~~ State Engineer

By   
~~Harvey O. Banks~~ L. C. Jopson  
Assistant State Engineer

2-25-81 Asgt to Alex R. Thomas III & Mary Leitten  
Thomas

LICENSE 4238

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RESOURCES  
STATE ENGINEER

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Agnes C. Thomas

DATED MAR 21 1956

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